



#5
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY OF COMMERCE AND
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 2023

October 23, 2002

Jay S. Cinamon
Abelman Frayne & Schwab
150 East 42nd ST.
New York, NY 10017-5612

In re application of:
Lee et al DECISION ON PETITION
Serial No.: 09/629,341
Filed: August 1, 2000

For: NOVEL MATERIAL SEPARATED FROM ECKLONIA CAVA et al

This is a decision on the faxed documents received on May 24, 2002, to withdraw the holding of abandonment in the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice to File Missing Parts of Application mailed August 22, 2000. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned November 24, 2000. The notice of abandonment was mailed on July 15, 2002.

On May 24, 2002, the office received a communication from the attorney of record. Enclosed was an acknowledgment that the attorney filed the declaration on August 1, 2000 at the time of filing.

The evidence submitted is sufficient to establish that the petitioners filed the declaration on August 1, 2000 at the time of filing the application.

The petition is hereby GRANTED.

- 2 -

The office regrets any inconvenience this may have caused the client.

The application has been completed for release to Technology Center 1752.

Telephone inquiries concerning this matter may be directed to Doshie E. Day at (703) 308-3640.

A handwritten signature in cursive script, appearing to read "Doshie E. Day".

Doshie E. Day
Program Management Assistant
Office Initial Patent Examination